

## **EXHIBIT 1**

**Dr. Orly Taitz, ESQ.**  
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Pro Hac Vice GA  
Attorney For Petitioners

**OFFICE OF STATE ADMINISTRATIVE HEARINGS**  
**STATE OF GEORGIA**

<b>DAVID FARRAR,</b>	:	
<b>LEAH LAX,</b>	:	
<b>CODY ROBERT JUDY,</b>	:	<b>DOCKET #: OSAH-SECSTATE-.</b>
<b>THOMAS MacLAREN</b>	:	<b>CE-1215136-60-MALIHI</b>
<b>LAURIE ROTH</b>	:	
<b>Plaintiffs,</b>	<b>OPPOSITION TO MOTION TO QUASH</b>	
	<b>SUBPOENAS</b>	
<b>v.</b>	:	
	:	
	:	
<b>BARACK OBAMA</b>	:	
<b>Defendant.</b>	:	
	:	

Plaintiffs herein oppose motion to quash subpoenas as one with no merit and utterly frivolous. Motion is loaded with irrelevant material, represents mostly an attack on the Plaintiffs' counsel and an attempt to prejudice the court against

Plaintiffs counsel. Motion is vague and does not present any specific recognized justifiable reasons to quash the subpoena. Motion should be denied as one without merit and frivolous.

### **ARGUMENT**

1. Defendant starts by stating that the hearing would require him to interrupt his duties in order to appear for an administrative hearing in Fulton County GA. It is noteworthy, that this statement comes on the heels of his extended 17 day Hawaiian vacation, which cost U.S. taxpayers 4 million dollars. Mr. Obama has earned a dubious distinction as a Vacationer in Chief, Tourist in Chief, Partier in Chief and a Golfer in Chief due to his endless vacations, parties and rounds of golf. Considering all of the above, it is not too much to ask for Mr. Obama to show up once at a hearing and present his original identification records, which were not seen by anyone in the country yet.

2. Significance of the trial in Fulton county GA has repercussions on the nation as a whole as surely finding of this trial will affect decisions around the country, as other states will need to ascertain, whether to allow Mr. Obama on the ballot as an eligible candidate.

3. Defendant states that he "made document available to the general public by placing it on his web site". Since when is an image posted on line, on a website, represents a document, admissible in a court of law or anywhere else for that

matter? When U.S. citizens are applying for their passports or drivers licenses, do they tell the clerk at the counter to look on their website at something they drew two days ago and posted yesterday? One can post a laundry list on a website and call it a birth certificate. To get a job as a janitor at the White House or anywhere else for that matter you need to show actual documents. Unfortunately, in most states in the nation and in the federal government there is a loop hole, whereby individuals running for high offices such as Senator or President can get into such office without ever showing any documents. It is an honor system, it was presumed, that one would not dare to run for such a high office without possessing necessary documents. However, as was shown in exhibits provided with the First Amended Complaint, there is evidence of fraud and forgery in Mr. Obama's identification records, such as his alleged long form birth certificate and Social Security number, which necessitates the need for subpoena for a certified long form birth certificate to be produced by Mr. Obama as well as the original to be produced by the Director of Health of Hawaii Loretta Fuddy.

3. Motion to quash is vague and ambiguous. It is titled "Motion to Quash Subpoenas" plural, however in the body of the motion he talks about "a subpoena", singular. Mr. Obama does not represent any witnesses; his attorney does not represent any witnesses. No other party filed any motions to quash. If any of the witnesses do not want to appear at trial, it is up to them to file motions to quash. As

a matter of fact, recently retired Senior Deportation Officer with the Department of Homeland Security John Sampson and licensed investigator Susan Daniels, witnesses mentioned by Mr. Obama, stated that they want to testify to evidence of fraud in Mr. Obama's identification records, as they feel this is the most important matter of the national security. Plaintiffs' attorney has already spent thousands of dollars on airfare and hotel reservations in order to bring the witnesses to trial. Defendant did not provide any specific justification for quashing subpoenas served on other parties.

4. Mr. Obama was properly served with the subpoena in the state of Georgia, through his attorney Mr. Michael Jablonski, located at 260 Brighton road , N.E. Atlanta, GA 30309. Unless the city of Atlanta recently seceded from the state of Georgia, Mr. Obama was served in the state of Georgia, subpoena is procedurally valid and Mr. Obama needs to comply, appear at trial and produce the documents requested.

5. Mr. Obama availed himself to the jurisdiction of the state of Georgia and this court by virtue of submitting his candidacy for presidency. Being a candidate is time consuming. Mr. Obama recently embarked on a campaign bus tour across Mid West and he is flying around the country attending multiple fundraisers in order to build a cash war chest for the general election. Campaigning consists of not only meeting with large donors and seeking donations, but also of proving that

one is eligible for the position and has proper identification papers, particularly since no one saw the original documents and an alleged copy is deemed to be a forgery. It is reasonable to seek subpoena for Mr. Obama to appear at trial and provide identification papers. Most of the arguments in this motion are redundant and were brought in Defendant's motion to dismiss. It was denied. Defendant is under jurisdiction of the court and agreed to service of process in the state of Georgia through his attorney, who is located in Georgia. Service of subpoena was proper and valid.

6. Rules of the administrative court of GA state:

616-1-2-19

(1) Subpoenas may be issued which require the attendance and testimony of witnesses and the production of objects at depositions or hearings provided by these Rules...

616-1-2-19

(5) A subpoena may be quashed by Administrative law Judge if it appears that the subpoena is **unreasonable or oppressive or that the objects sought are irrelevant, immaterial or cumulative and unnecessary** to a party's preparation and presentation of its position or that **basic fairness dictates that subpoena should not be enforced...** (Emphasis added) Ga. Comp. R and regulations **616-1-2-.19(5)**

Subpoena, served on Mr. Obama through his attorney is attached as Exhibit1.

It requests any and all certified birth records, certified long form birth certificate, certified school/university registration records, certified immigration/naturalization records, certified passport records and redacted certified SS-5 application under the names Barack(Barry) Soetoro, Barrack (Barry) Soebarkah and Barack (Barry) Obama and any and all combination of thereof and any other names used.

First, let's look at the names. Plaintiffs provided the court with recently released passport records of Barack Obama's mother, Ann Dunham (Obama) Soetoro (Exhibit 2). In her passport records Barack Obama was listed under the last name Soebarkah. In south Asia it is common to create blended names. Apparently his mother and Indonesian step father blended his first name Barack and his step father's last name and created a blended last name, Soebarkah. In his school registration #203 from Assissi School in Jakarta Indonesia he is listed under the last name Soetoro. Nobody ever saw any identification documents of Barack Obama, and we do not even know if Barack Obama is his legal name. It is not unreasonable, irrelevant, immaterial, cumulative, unfair or oppressive to seek to see identification papers to ascertain, if there is a legal entity Barack Obama, to ascertain, whether a man, who seeks to be on the ballot is Barack Obama.

b. The issue of Obama's eligibility was never adjudicated on the merits. As eligibility questions were raised and polls were showing that some 70% of voters doubted his eligibility, in April of 2011 Mr. Obama posted on the internet, what he claimed to be a copy of his long form birth certificate. Affidavits by Felicito Papa (Exhibit 4), Douglas Vogt and Paul Irey attested to the fact, that according to their experience in the field of Adobe Illustrator, Typesetting and scanning, what was posted on the Internet, was not a copy of a document, but a forgery, created by cutting and pasting parts of different documents and filling in the blanks with computer graphics. Mr. Obama and White House counsel Kathy Ruemmler refused to present for examination the certified copy allegedly obtained in Hawaii. Director of Health of Hawaii refused to produce for examination the original document and nobody even knows whether the alleged 1961 original aged document even exists. If it existed, there was no reason to create a computer generated forgery. As such it is reasonable to seek from the defendant Mr. Obama to provide a valid certified copy of the long form birth certificate and to subpoena from the state of Hawaii the original document for examination. Moreover, Mr. Obama has posted his alleged birth certificate on mugs and T-shirts; he taunted the plaintiffs and their attorney. After he posted his alleged long form birth certificate on line, on mugs and T-shirts, he cannot claim privacy, department

of Health cannot claim privacy, it is not unreasonable, unfair, cumulative, oppressive, immaterial, or unnecessary to subpoena production of a certified copy of the long form birth certificate in lieu of the alleged copy made public and in light of the reports of the alleged copy being a forgery.

c. Considering the fact that in his Indonesian school records, Mr. Obama is listed as an Indonesian National, it is reasonable to subpoena his Immigration/Naturalization records and passport records. If indeed he came back from Indonesia as an Indonesian national and had to go through immigration/naturalization proceedings, he would be a naturalized citizen, not natural born and would not qualify for the position of the U.S. President, as the U.S. President is supposed to be Natural born. Similarly, it is reasonable to subpoena his school registration records, as those would reflect his legal name and citizenship. As such, immigration records, passport records and school registration records are not immaterial, unnecessary, cumulative, oppressive, unfair, unreasonable or irrelevant to be requested in the subpoena.

d. Lastly, as Mr. Obama published his tax records, he did not flatten the PDF file. His full Social Security number became available to the public, which was a Connecticut Social Security number, even though Mr. Obama was never a resident of CT and the number was never assigned to Barack Obama according to E-Verify and SSNVS. Individuals, who are natural born citizens,

have no problem obtaining a valid Social Security number from the state, where they reside. Lack of a valid Social Security number is evidence of identity fraud. As such, subpoena of a redacted SS-5 is not immaterial, irrelevant, oppressive, cumulative, unreasonable, irrelevant, unnecessary or unfair.

Based on all of the above, all the documents requested in the subpoena were properly requested and there are no grounds to quash the subpoena, seeking production of the above documents.

7. Most of the motion to quash contains irrelevant, impertinent, inflammatory and prejudicial material, which has nothing to do with the motion to quash the subpoena and was brought improperly, with the sole purpose of obfuscating the issues and prejudicing the court against the Plaintiffs and their attorney.

Defendant is bringing unrelated cases. It is, suffice to say, that not one single eligibility case was heard on the merits. Not one single judge around the nation ruled that Barack Obama is a natural born citizen. Not one single judge around the nation saw Obama's long form birth certificate, not one single judge ruled that Barack Obama has a valid long form birth certificate, not one single judge ruled that Barack Obama has a valid Social Security number. Not one single judge ruled that Barack Obama is indeed his legal name. Not one single judge ruled that the person residing in the White House is indeed

Barack Obama. All of the cases brought after the 2008 election were dismissed on technicality: due to lack of jurisdiction, lack of standing or court's desire to abstain from hearing the issue. Previous cases were adjudicated after the election and judges did not want to overturn the results of the election. Current case is different in that it is brought as a ballot challenge; it is being heard before the primary, before Mr. Obama's name is on the ballot. Defendant is bringing forward the fact that Mr. Obama was elected and confirmed in 2008. This is irrelevant. We are not in 2008. We are in 2012. Since 2008 a lot of information became available, which showed forgery and fraud in Mr. Obama's records.

An old axiom states, if you don't like the message, kill the messenger. The defense engaged in attacking the Plaintiffs' counsel. This motion is not about the Plaintiffs' counsel. This motion is about the subpoena. Were the documents properly requested in the subpoena? The defense was supposed to address each document requested and show with specificity, why there is legal basis to quash this particular document. Defendant failed to do so, as the documents requested were relevant, material, reasonable, necessary, not cumulative, not oppressive and do not violate the notion of fairness. Gratuitous attack on Plaintiffs' counsel, bringing unrelated cases and irrelevant matters in the motion to quash was unethical and sanctionable.

## **CONCLUSION**

The subpoena served on Defendant was proper, documents requested not irrelevant, immaterial, unreasonable, oppressive, and cumulative and did not violate the notion of fairness. As such the Motion to Quash Subpoena served on the Defendant should be denied.

### Proof of service

I, Orly Taitz, ESQ attest that I served this Opposition to Motion to Quash Subpoena on the defendant on 01.19.2012 through his attorney at Michael.Jablonski@comcast.net

/s/ Dr. Orly Taitz, ESQ



## The Office of Secretary of State

*Brian P. Kemp*  
SECRETARY OF STATE

January 25, 2012

### VIA REGULAR MAIL & EMAIL

Michael Jablonski  
260 Brighton Road, NE  
Atlanta, Georgia 30309  
[michael.jablonski@comcast.com](mailto:michael.jablonski@comcast.com)

### **RE: Georgia Presidential Preference Primary Hearings**

Dear Mr. Jablonski:

I received your letter expressing your concerns with the manner in which the Office of State Administrative Hearings ("OSAH") has handled the candidate challenges involving your client and advising me that you and your client will "suspend" participation in the administrative proceeding. While I regret that you do not feel that the proceedings are appropriate, my referral of this matter to an administrative law judge at OSAH was in keeping with Georgia law, and specifically O.C.G.A. § 21-2-5.

As you are aware, OSAH Rule 616-1-2-.17 cited in your letter only applies to parties to a hearing. As the referring agency, the Secretary of State's Office is not a party to the candidate challenge hearings scheduled for tomorrow. To the extent a request to withdraw the case referral is procedurally available, I do not believe such a request would be judicious given the hearing is set for tomorrow morning.

In following the procedures set forth in the Georgia Election Code, I expect the administrative law judge to report his findings to me after his full consideration of the evidence and law. Upon receipt of the report, I will fully and fairly review the entire record and initial decision of the administrative law judge. Anything you and your client place in the record in response to the challenge will be beneficial to my review of the initial decision; however, if you and your client choose to suspend your participation in the OSAH proceedings, please understand that you do so at your own peril.

I certainly appreciate you contacting me about your concerns, and thank you for your attention to this matter.

Sincerely,

Brian P. Kemp

cc: Hon. Michael Malih (c/o Kim Beal - [kbeal@osah.ga.gov](mailto:kbeal@osah.ga.gov))  
Van Irion, Esq. ([van@libertylegalfoundation.org](mailto:van@libertylegalfoundation.org))  
Orly Taitz, Esq. ([orly.taitz@gmail.com](mailto:orly.taitz@gmail.com))

Michael Jablonski  
January 25, 2012  
Page | 2

Mark Hatfield, Esq. (mhatfield@wayxcable.com)  
Stefan Ritter, Esq. (sritter@law.ga.gov)  
Ann Brumbaugh, Esq. (abrumbaugh@law.ga.gov)

## **EXHIBIT 2**

OFFICE OF STATE ADMINISTRATIVE HEARINGS  
STATE OF GEORGIA

DAVID FARRAR, :  
LEAH LAX, :  
CODY JUDY, :  
THOMAS MALAREN, : Docket Number: OSAH-SECSTATE-CE-  
LAURIE ROTH, : 1215136-60-MALIHI  
Plaintiffs, : Counsel for Plaintiffs: Orly Taitz  
v. : Counsel for Defendant: Michael Jablonski  
BARACK OBAMA, :  
Defendant.

DAVID P. WELDEN, :  
Plaintiff, : Docket Number: OSAH-SECSTATE-CE-  
1215137-60-MALIHI  
v. : Counsel for Plaintiff: Van R. Irion  
BARACK OBAMA, : Counsel for Defendant: Michael Jablonski  
Defendant.

CARL SWENSSON, :  
Plaintiff, : Docket Number: OSAH-SECSTATE-CE-  
1216218-60-MALIHI  
v. : Counsel for Plaintiff: J. Mark Hatfield  
BARACK OBAMA, : Counsel for Defendant: Michael Jablonski  
Defendant.

KEVIN RICHARD POWELL, :  
Plaintiff, : Docket Number: OSAH-SECSTATE-CE-  
1216823-60-MALIHI  
v. : Counsel for Plaintiff: J. Mark Hatfield  
BARACK OBAMA, : Counsel for Defendant: Michael Jablonski  
Defendant.

**ORDER ON MOTION TO QUASH SUBPOENAS**

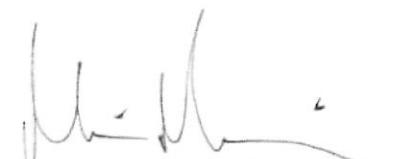
Defendant, President Barack Obama, a candidate seeking the Democratic nomination for the office of the President of the United States, has filed a motion to quash the subpoena compelling his attendance at the hearing on January 26, 2012.

In support of his motion, Defendant argues that "if enforced, [the subpoena] requires him to interrupt duties as President of the United States" to attend a hearing in Atlanta, Georgia. However, Defendant fails to provide any legal authority to support his motion to quash the subpoena to attend. Defendant's motion suggests that no President should be compelled to attend a Court hearing. This may be correct. But Defendant has failed to enlighten the Court with any legal authority. Specifically, Defendant has failed to cite to any legal authority evidencing why his attendance is "unreasonable or oppressive, or that the testimony... [is] irrelevant, immaterial, or cumulative and unnecessary to a party's preparation or presentation at the hearing, or that basic fairness dictates that the subpoena should not be enforced." Ga. Comp. R. & Regs. r. 616-1-2-.19(5).

Defendant further alludes to a defect in service of the subpoena. However, the Court's rules provide for service of a subpoena upon a party, by serving the party's counsel of record. Ga. Comp. R. & Regs. r. 616-1-2-.19(4). Thus, the argument regarding service is without merit.

Accordingly, Defendant's motion to quash is denied.

**SO ORDERED**, this the 20<sup>th</sup> day of January, 2012.



MICHAEL M. MALIHI, Judge

## **EXHIBIT 3**

# Michael Jablonski

Attorney-at-law

260 Brighton Road, NE  
Atlanta, Georgia 30309  
404.290.2977  
815.846.0719 (fax)  
[michael.jablonski@comcast.net](mailto:michael.jablonski@comcast.net)

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January 25, 2012

Hon. Brian P. Kemp  
Georgia Secretary of State  
214 State Capitol  
Atlanta, Georgia 30334

via email to Vincent R. Russo Jr., Esq.  
([vrusso@sos.ga.gov](mailto:vrusso@sos.ga.gov))

Re: Georgia Presidential Preference Primary Hearings

Dear Secretary Kemp:

This is to advise you of serious problems that have developed in the conduct of the hearings pending before the Office of State Administrative Hearings. At issue in these hearings are challenges that allege that President Obama is not eligible to hold or run for re-election to his office, on the now wholly discredited theory that he does not meet the citizenship requirements. As you know, such allegations have been the subject of numerous judicial proceedings around the country, all of which have concluded that they were baseless and, in some instances - including in the State of Georgia - that those bringing the challenges have engaged in sanctionable abuse of our legal process.

Nonetheless, the Administrative Law Judge has exercised no control whatsoever over this proceeding, and it threatens to degenerate into a pure forum for political posturing to the detriment of the reputation of the State and your Office. Rather than bring this matter to a rapid conclusion, the ALJ has insisted on agreeing to a day of hearings, and on the full participation of the President in his capacity as a candidate. Only last week, he denied a Motion to Quash a subpoena he approved on the request of plaintiff's counsel for the personal appearance of the President at the hearing, now scheduled for January 26.

For these reasons, and as discussed briefly below, you should bring an end to this baseless, costly and unproductive hearing by withdrawing the original hearing request as improvidently issued.

It is well established that there is no legitimate issue here—a conclusion validated time and again by courts around the country. The State of Hawaii produced official records documenting birth there; the President made documents available to the general public by placing them on his website. “Under the United States Constitution, a public record of a state is required to be given ‘full faith and credit’ by all other states in the country. Even if a state were to require its election officials for the first time ever to receive a ‘birth certificate’ as a requirement for a federal candidate’s ballot placement, a document certified by another state, such as a ‘short form’ birth certificate, or the certified long form, would be required to be accepted by all states under the ‘full faith and credit’ clause of the United States Constitution.” Maskell, “Qualifications for President and the “Natural Born” Citizenship Eligibility Requirement,” *Congressional Research Service* (November 14, 2011), p.41.

Nonetheless, the ALJ has decided, for whatever reason, to lend assistance through his office—and by extension, yours—to the political and legally groundless tactics of the plaintiffs. One of the attorneys for the plaintiffs has downloaded form subpoenas which she tried to serve around the country. Plaintiff’s attorney sent subpoenas seeking to force attendance by an office machine salesman in Seattle; seeking to force the United States Attorney to bring an unnamed “Custodian of Records Department of Homeland Security” to attend the hearing with immunization records; and asking the same U.S. Attorney to bring the same records allegedly possessed by “Custodian of Records of U.S. Citizenship and Immigration Services.” She served subpoenas attempting to compel the production of documents and the attendance of Susan Daniels and John Daniels, both apparently out of state witnesses, regarding Social Security records. She is seeking to compel the Director of Health for the State of Hawaii to bring to Atlanta the “original typewritten 1961 birth certificate #10641 for Barack Obama, II, issued 08.08.1961 by Dr. David Sinclair...,” even though Hawaii courts had dismissed with prejudice the last attempt to force release of confidential records on November 9, 2011. *Taitz v. Fuddy*, CA No. 11-1-1731-08 RAN.

In *Rhodes v. McDonald*, 670 F. Supp. 2d 1363, 1365 (USDC MD GA, 2009), Judge Clay Land wrote this of plaintiff’s attorney:

*When a lawyer files complaints and motions without a reasonable basis for believing that they are supported by existing law or a modification or extension of existing law, that lawyer abuses her privilege to practice law. When a lawyer uses the courts as a platform for political agenda disconnected from any legitimate legal cause of action, that lawyer abuses her privilege to practice law....*

*As a national leader in the so-called ‘birther movement,’ Plaintiff’s counsel has attempted to use litigation to provide the ‘legal foundation’ for her political agenda. She seeks to use the Court’s power to compel discovery in her efforts force the President to produce a ‘birth certificate’ that is satisfactory to herself and her followers.”* 670 F. Supp. 2d at 1366.

All issues were presented to your hearing officer—the clear-cut decision to be on the merits, and the flagrantly unethical and unprofessional conduct of counsel—and he has allowed

the plaintiffs' counsel to run amok. He has not even addressed these issues—choosing to ignore them. Perhaps he is aware that there is no credible response; perhaps he appreciates that the very demand made of his office—that it address constitutional issues—is by law not within its authority. See, for example, *Flint River Mills v. Henry*, 234 Ga. 385, 216 S.E.2d 895 (1975); Ga. Comp. R. & Regs. r. 616-1-2-.22(3).

The Secretary of State should withdraw the hearing request as being improvidently issued. A referring agency may withdraw the request at any time. Ga. Comp. R. & Regs. r. 616-1-2-.17(1). Indeed, regardless of the collapse of proceedings before the ALJ, the original hearing request was defective as a matter of law. *Terry v. Handel*, 08cv158774S (Superior Court Fulton County, 2008), *appeal dismissed*, No. S09D0284 (Ga. Supreme Court), *reconsideration denied*, No. S09A1373. (“The Secretary of State of Georgia is not given any authority that is discretionary nor any that is mandatory to refuse to allow someone to be listed as a candidate for President by a political party because she believes that the candidate might not be qualified.”) Similarly, no law gives the Secretary of State authority to determine the qualifications of someone named by a political party to be on the Presidential Preference Primary ballot. Your duty is determined by the statutory requirement that the Executive Committee of a political party name presidential preference primary candidates. O.C.G.A. § 21-2-193. Consequently, the attempt to hold hearings on qualifications which you may not enforce is *ultra vires*.

We await your taking the requested action, and as we do so, we will, of course, suspend further participation in these proceedings, including the hearing scheduled for January 26.

Very truly yours,



MICHAEL JABLONSKI  
Georgia State Bar Number 385850

Attorney for President Barack Obama

cc: Hon. Michael Malihi (c/o Kim Beal (kbeal@osah.ga.gov))  
Van Irion, Esq. (van@libertylegalfoundation.org)  
Orly Taitz, Esq. (orly.taitz@gmail.com)  
Mark Hatfield, Esq. (mhatfield@wayxcable.com)  
Vincent R. Russo Jr., Esq. (vrusso@sos.ga.gov)  
Stefan Ritter, Esq. (sritter@law.ga.gov)  
Ann Brumbaugh, Esq. (abrumbaugh@law.ga.gov)  
Darcy Coty, Esq. (darcy.coty@usdoj.gov)  
Andrew B. Flake, Esq. (andrew.flake@agg.com)

STATE OF HAWAII			CERTIFICATE OF LIVE BIRTH			DEPARTMENT OF HEALTH		
						61 10641		
						FILE NUMBER 151		
1a. Child's First Name (Type or print)			1b. Middle Name			1c. Last Name		
BARACK			HUSSEIN			OBAMA, II		
2. Sex			3. This Birth			4. If Twin or Triplet, See Child Born		
Male			Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triple <input type="checkbox"/>			1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>		
5. Place of Birth: City, Town or Rural Location			6. Island			7. Month Day Year		
Honolulu			Oahu			August 4, 1961		
8. Name of Hospital or Institution (If not in hospital or institution, give street address)			9. Is Place of Birth Inside City or Town Limits?			10. Is Judicial District		
Kapiolani Maternity & Gynecological Hospital			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			Yes <input type="checkbox"/> No <input type="checkbox"/>		
11. Usual Residence of Mother: City, Town or Rural Location			12. Island			13. County and State or Foreign Country		
Honolulu			Oahu			Honolulu, Hawaii		
14. Street Address			15. Is Residence Inside City or Town Limits?			16. Is Residence in a Farm or Plantation?		
6085 Kalanianaole Highway			Yes <input type="checkbox"/> No <input type="checkbox"/>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
17. Mother's Mailing Address			18. Race of Father			19. Race of Mother		
			African			Caucasian		
19. Full Name of Father			20. Birthplace (State, State or Foreign Country)			21. Kind of Business or Industry		
BARACK			25 Kenya, East Africa			University		
22. Age of Father			23. Usual Occupation			24. Race of Mother		
25			Student					
26. Full Maiden Name of Mother			27. Type of Occupation Outside Home During Pregnancy			28. Date Last Worked		
STANLEY			ANN			None		
29. Age of Mother			30. Birthplace (State, State or Foreign Country)			31. Date of Signature		
18			Wichita, Kansas			Parent <input type="checkbox"/> Other <input checked="" type="checkbox"/> 8-7-61		
I certify that the above stated information is true and correct to the best of my knowledge.			18a. Signature of Parent or Other Informant			18b. Date of Signature		
I hereby certify that this child was born alive on the date and hour stated above.			19a. Signature of Attendant			19b. Date of Signature		
32. Date Accepted by Local Reg. 19b. M.D. <input type="checkbox"/> 20. D.O. <input type="checkbox"/> 21. Midwife <input type="checkbox"/> 22. Other <input type="checkbox"/> 8-8-61			20. Signature of Local Registrar			21. Date of Signature		
AUG - 8-61			WUBBLE			22. Date Accepted by Reg. General		
33. Evidence for Delayed Filing or Alteration								

I CERTIFY THIS IS A TRUE COPY OR  
ABSTRACT OF THE RECORD ON FILE IN  
THE HAWAII STATE DEPARTMENT OF HEALTH

Alvin T. Onoaka, Ph.D.  
STATE REGISTRAR

CERTIFICATION OF LIVE BIRTH		
STATE OF HAWAII OAHU, U.S.A.		DEPARTMENT OF HEALTH HAWAII, U.S.A.
CERTIFICATE NO. [REDACTED]		
BORN ON DATE [REDACTED] - [REDACTED] - [REDACTED]		
BORN ON DATE [REDACTED] - [REDACTED] - [REDACTED]	TIME OF BIRTH 10:45 AM	SEX M
PLACE OF BIRTH HONOLULU	NAME OF MOTHER [REDACTED]	COUNTRY OF BIRTH HAWAII, U.S.A.
NAME OF FATHER [REDACTED]		
NAME OF MOTHER CAROLYN HOGGAN		
NAME OF FATHER [REDACTED]		
NAME OF MOTHER [REDACTED]		
NAME OF FATHER [REDACTED]		
ANY ALTERATIONS INVALIDATE THIS CERTIFICATE		

## **EXHIBIT 4**



## The Office of Secretary of State

*Brian P. Kemp*  
SECRETARY OF STATE

January 25, 2012

### **VIA REGULAR MAIL & EMAIL**

Michael Jablonski  
260 Brighton Road, NE  
Atlanta, Georgia 30309  
[michael.jablonski@comcast.com](mailto:michael.jablonski@comcast.com)

### **RE: Georgia Presidential Preference Primary Hearings**

Dear Mr. Jablonski:

I received your letter expressing your concerns with the manner in which the Office of State Administrative Hearings ("OSAH") has handled the candidate challenges involving your client and advising me that you and your client will "suspend" participation in the administrative proceeding. While I regret that you do not feel that the proceedings are appropriate, my referral of this matter to an administrative law judge at OSAH was in keeping with Georgia law, and specifically O.C.G.A. § 21-2-5.

As you are aware, OSAH Rule 616-1-2-.17 cited in your letter only applies to parties to a hearing. As the referring agency, the Secretary of State's Office is not a party to the candidate challenge hearings scheduled for tomorrow. To the extent a request to withdraw the case referral is procedurally available, I do not believe such a request would be judicious given the hearing is set for tomorrow morning.

In following the procedures set forth in the Georgia Election Code, I expect the administrative law judge to report his findings to me after his full consideration of the evidence and law. Upon receipt of the report, I will fully and fairly review the entire record and initial decision of the administrative law judge. Anything you and your client place in the record in response to the challenge will be beneficial to my review of the initial decision; however, if you and your client choose to suspend your participation in the OSAH proceedings, please understand that you do so at your own peril.

I certainly appreciate you contacting me about your concerns, and thank you for your attention to this matter.

Sincerely,

Brian P. Kemp

cc: Hon. Michael Malihi (c/o Kim Beal - [kbeal@osah.ga.gov](mailto:kbeal@osah.ga.gov))  
Van Irion, Esq. ([van@libertylegalfoundation.org](mailto:van@libertylegalfoundation.org))  
Orly Taitz, Esq. ([orly.taitz@gmail.com](mailto:orly.taitz@gmail.com))

Michael Jablonski  
January 25, 2012  
Page | 2

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Mark Hatfield, Esq. (mhatfield@wayxcable.com)  
Stefan Ritter, Esq. (sritter@law.ga.gov)  
Ann Brumbaugh, Esq. (abrumbaugh@law.ga.gov)

## **EXHIBIT 5**

IN THE OFFICE OF STATE ADMINISTRATIVE HEARINGS  
STATE OF GEORGIA

Farrar, Roth, Lax, Judy, MacLeran, :  
Petitioner, : Docket No.:  
: OSAH-1215136-60 MALIHI  
v. :  
Obama, Respondent. :  
: :  
: :

SUBPOENA

TO: Mr. Barack Hussein Obama  
c/o Michael Jablonski, ESQ  
260 Brighton Rd NE  
Atlanta, GA 30309

YOU ARE HEREBY COMMANDED, to appear in court on behalf of  Petitioner  Respondent to be:

Sworn as a Witness

Produce the Document on the Attached List:

Any and all certified birth records, certified long form birth certificate, certified school/university registration records, certified immigration/naturalization records, certified passport records and redacted certified SS-5 applications under the names Barack (Barry) Soetoro, Barack (Barry) Soebarkah, Barack (Barry) Obama and any and all combinations of thereof and any other names used.

The court date, time and location are:

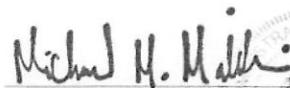
DATE: January 26

TIME: 9 am

LOCATION: Administrative Court, state of GA, Fulton County Justice Center Building, 161 Pryor St., Courtroom G-40 Atlanta, GA 30303, Hon Michael Malihi presiding

You are required to attend from day to day and from time to time until the hearing is completed or you have been released by the judge.

HEREIN FAIL NOT UNDER PENALTY OF LAW BY AUTHORITY OF THE ASSIGNED JUDGE.

  
Michael M. Malihi  
Deputy Chief Judge

IF YOU HAVE QUESTIONS, CONTACT:	PROOF OF SERVICE
<p>Name:Orly Taitz, ESQ Attorney for Petitioners Telephone:949-683-5411 This section must be completed by the person issuing the subpoena.</p>	<p>This subpoena was served on:01.06.2012 <input type="checkbox"/> personally <input checked="" type="checkbox"/> by registered or certified mail <input type="checkbox"/> by delivery to a commercial delivery company for statutory overnight delivery by: Telephone: *A copy of the return receipt for registered or certified mail or a copy of the receipt provided by the commercial delivery company must be attached if not personally served. * This section must be completed by the person issues the subpoena.</p>

## **EXHIBIT 6**

HID 88B (Rev. 02/11) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

## UNITED STATES DISTRICT COURT

for the

District of Hawaii

Taitz	)	
<i>Plaintiff</i>	)	
v.	)	Civil Action No. dcdce 1:2011-cv-00402
Astrue	)	
<i>Defendant</i>	)	(If the action is pending in another district, state where: District of Columbia )

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: Loretta Fuddy Director of Health, HI Health Department  
1250 Punchbowl str. room 325, Honolulu HI 96813

*Production:* YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: Original 1961 typewritten birth certificate # 10641 for Barack Obama, II, issued 08.08.1961, signed by Dr. David Sinclair, Stanley Ann Dunham Obama and registrar Lee, stored in the Health Department of the state of HI from 08.08.1961 until now

Place: 1250 Punchbowl str., room 325  
Honolulu HI 96813

Date and Time:  
06/29/2011 10:00 am

*Inspection of Premises:* YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 05/26/2011

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (*name of party*)

, who issues or requests this subpoena, are:

District of Hawaii  
1250 Punchbowl Street, Room 325  
Honolulu, HI 96813  
Phone: 808-541-2424  
Fax: 808-541-2425  
Email: [info@doh.hawaii.gov](mailto:info@doh.hawaii.gov)

IF YOU HAVE QUESTIONS, CONTACT:	PROOF OF SERVICE
<p>Name:Orly Taitz, ESQ Attorney for Petitioners Telephone:949-683-5411 This section must be completed by the person issuing the subpoena.</p>	<p>This subpoena was served on:12.29.2011 <input type="checkbox"/> personally <input checked="" type="checkbox"/>by registered or certified mail <input type="checkbox"/>by delivery to a commercial delivery company for statutory overnight delivery by: Telephone: *A copy of the return receipt for registered or certified mail or a copy of the receipt provided by the commercial delivery company must be attached if not personally served. * This section must be completed by the person issues the subpoena.</p>

## **EXHIBIT 7**

IN THE SUPERIOR COURT  
MARION COUNTY

DR. ORLY TAITZ, ESQ	)	CASE #49D093MJ012046
KARL SWIHART	)	DI4/203
EDWARD KESLER	)	
FRANK WEYL	)	
BOB KERN	)	
Plaintiffs	)	
	)	
V.	)	
	)	
ELECTIONS COMMISSION	)	
SECRETARY OF STATE OF INDIANA	)	
Defendants	)	

SUBPOENA

TO: Mr Barack Hussein Obama  
c/o Michael Jablonski, ESQ  
260 Brighton Rd, NE  
Atlanta, GA 30309

YOU ARE HEREBY COMMANDED to appear in court on behalf of  
 Plaintiff     Defendant to be:

Sworn as a Witness  
 Produce the Document on the Attached List

Any and all certified birth records, certified long form birth certificate,  
certified school/university registration records,  
certified immigration/naturalization records,  
certified passport records and redacted certified SS-5 applications  
under Names Barack (Barry) Soetoro, Barack (Barry) Soebarkhan,  
Barack (Barry) Obama and any and all combinations  
of thereof and any other names used.

The court date, time and location are:

DATE: June 12

*Elizabeth A. Wible*  
CLERK OF THE MARION CIRCUIT COURT  
MAY 30 2012

## **EXHIBIT 8**

IN THE OFFICE OF STATE ADMINISTRATIVE HEARINGS  
STATE OF GEORGIA

Farrar, Roth, Lax, Judy, MacLeran	:	
Petitioner,	:	Docket No.:
	:	OSAH-1215136-60 MALIHI
v.	:	
Obama, Brian Kemp-Secretary of State of GA,	:	
Executive Committee of the Democrat Party	:	
of GA	:	
		Respondent.

SUBPOENA

TO: Loretta Fuddy, Director of Health, State of Hawaii  
1250 Punchbowl Ave, Room 325, Honolulu, HI 96813

YOU ARE HEREBY COMMANDED, to appear in court on behalf of  Petitioner  Respondent to be:

Sworn as a Witness

Produce the Document on the Attached List:

1. Original typewritten 1961 birth certificate #10641 for Barack Obama, II, issued 08.08.1961, signed by Dr. David Sinclair, Stanley Ann Dunham Obama and registrar Lee, stored in the Health Department of the State of HI from 1961 until now, as well as the microfiche roll for August 1961, containing above document, as well as an original application to COLB (certificate of live birth) within the log with consecutive numbers.
2. Original typewritten 1961 birth certificate for deceased Virginia Sunahara, born August 4, 1961, deceased August 5, 1961, as well as microfiche roll with the original birth certificate of Virginia Sunahara.

Pretrial deposition will be conducted on January 9, 2012 at 1250 Punchbowl Ave, Room 325, Honolulu, HI 96813, 10 am.

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The court date, time and location are:

DATE: January 26

TIME: 9 am

LOCATION: Fulton County Justice Center Building, 161 Pryor street, Courtroom G-40, Atlanta, GA30303,  
Hon Michael Malihi presiding

You are required to attend from day to day and from time to time until the hearing is completed or you have been released by the judge.

HEREIN FAIL NOT UNDER PENALTY OF LAW BY AUTHORITY OF THE ASSIGNED JUDGE.



Michael M. Malihi  
Deputy Chief Judge

## **EXHIBIT 9**

## Democratic Party of Hawai'i

424 Ward Avenue, Suite 201  
Honolulu, Hawaii 96814  
Voice (808) 596-2380 Fax (808) 596-2986  
<http://www.hawaiidemocrats.org>  
e-mail: [democrats@hawaiidemocrats.org](mailto:democrats@hawaiidemocrats.org)

### OFFICIAL CERTIFICATION OF NOMINATION

State of Hawaii

THIS IS TO CERTIFY that the following candidates for President and Vice-President of the United States are legally qualified to serve under the provisions of the United States Constitution and are the duly chosen nominees of both the state and the national Democratic Parties by ballot at the Presidential Preference Poll and Caucuses held March 7, 2008 in the State of Hawaii and by acclamation at the National Democratic Convention held August 14-17, 2008 in Los Angeles, California.

For President of the United States

Al Gore  
350 Chickasaw Highway  
Cartersville, Tennessee 37330

For Vice President of the United States

Joe Lieberman  
10 Alton Avenue  
New Haven, Connecticut 06511

IN TESTIMONY WHEREOF we have hereunto set our hands on this 8<sup>th</sup> day of September, 2008.

*Agape M. Goya*

Agape M. Goya  
Chief of Staff  
2222 Carter Street, #303  
Honolulu, Hawaii 96826  
Vice Chair, Democratic Party of Hawaii

Carrie Apuna  
2222 Carter Street, #303  
Honolulu, Hawaii 96826  
Secretary, Democratic Party of Hawaii

Waimea M. Flores, Chair • William M. Samoa, Vice-Chair • Yumi Saito, Senator • Norman T. Takei, Assemblyman • John Aiona, Assemblyman • Alan Arakawa, Assemblyman • Alan Millett, Assemblyman •  
Cecilia Chung, Councilwoman • Joseph F. Giarratano, City Councilman •

-28-

## **EXHIBIT 10**

Democratic Party of Hawaii  
770 Kapiolani Boulevard, Suite 115  
Honolulu, Hawaii 96813  
Phone (808) 592-8920  
Fax (808) 592-8925  
Email: [statechair@hawaiidemocrats.org](mailto:statechair@hawaiidemocrats.org)  
Website: [hawaiidemocrats.org](http://hawaiidemocrats.org)

OFFICIAL CERTIFICATION OF NOMINATION

State of Hawaii

THIS IS TO CERTIFY that the following candidates for President and Vice-President of the United States are legally qualified to serve under the provisions of the United States Constitution and are the duly chosen candidates of both the state and the national Democratic Parties by balloting at the Presidential Preference Poll and Caucus held May 30, 2004, in the State of Hawaii and by acclamation at the National Democratic Convention held July 26, 2004 in Boston, Massachusetts.

For President of the United States

John Kerry  
19 Louisburg Square  
Boston, Massachusetts 02108

For Vice President of the United States

John Edwards  
3323 Alleghany Drive  
Raleigh, North Carolina 27609

IN TESTIMONY WHEREOF we have hereunto set our hands on this 5<sup>th</sup> day of August, 2004.

  
Edmund M. Gutiérrez  
770 Kapiolani Boulevard, Suite 115  
Honolulu, Hawaii 96813  
Chair  
Democratic Party of Hawaii

  
Edmund Aiston  
770 Kapiolani Boulevard, Suite 115  
Honolulu, Hawaii 96813  
Secretary  
Democratic Party of Hawaii

Edmund M. Gutiérrez, Chair • Edmund Aiston, Secretary • John Murphy, Treasurer  
Chairwoman, National Committee • Mark D. Smeal, National Committee Chairman

## **EXHIBIT 11**



Democratic Party of Hawaii  
1050 Ala Moana Blvd. #2660  
Honolulu, HI 96814  
Phone (808)596-2980  
Fax (808)596-2985  
Email: [dphstaff@inbox.com](mailto:dphstaff@inbox.com)  
Website : [www.hawaii.democrats.org](http://www.hawaii.democrats.org)

OFFICIAL CERTIFICATION OF NOMINATION

State of Hawai'i

THIS IS TO CERTIFY that the following candidates for President and Vice-President of the United States are legally qualified to serve under the provisions of the national Democratic Parties balloting at the Presidential Preference Poll and Caucus held on February 19<sup>th</sup>, 2008 in the State of Hawaii and by acclamation at the National Democratic Convention held August 27, 2008 in Denver, Colorado.

OFFICE OF ELECTIONS

AUG 28 A11:40  
'08

**For President of the United States**

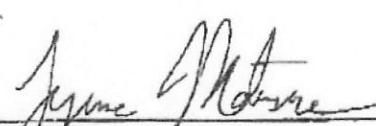
Barack Obama  
P.O. Box 8102  
Chicago, IL, 60680

**For Vice President of the United States**

Joe Biden  
1209 Barley Mill Rd.  
Wilmington, DE 19807

IN TESTIMONY WHEREOF we have hereunto set our hands on this 27<sup>th</sup> day of August, 2008.

  
\_\_\_\_\_  
Brian E. Schatz  
Chair  
Democratic Party of Hawaii  
1050 Ala Moana Blvd. #2660  
Honolulu, HI 96814

  
\_\_\_\_\_  
Lynne Matusow  
Secretary  
Democratic Party of Hawaii  
1050 Ala Moana Blvd. #2660  
Honolulu, HI 96814

## **EXHIBIT 12**

The White House

Office of the Press Secretary

For Immediate Release  
April 27, 2011

## **Press Gaggle by Press Secretary Jay Carney, 4/27/2011**

**James S. Brady Press Briefing Room**

**8:48 A.M. EDT**

MR. CARNEY: Good morning, everybody. You can read the paperwork we just handed out in a minute. Let me just get started. Thank you for coming this morning. I have with me today Dan Pfeiffer, the President's Director of Communications, as well as Bob Bauer, the President's White House Counsel, who will have a few things to say about the documents we handed to you today. And then we'll take your questions. I remind you this is off camera and only pen and pad, not for audio. And I give you Dan Pfeiffer.

MR. PFEIFFER: Thanks, Jay. What you have in front of you now is a packet of papers that includes the President's long-form birth certificate from the state of Hawaii, the original birth certificate that the President requested and we posted online in 2008, and then the correspondence between the President's counsel and the Hawaii State Department of Health that led to the release of those documents.

If you would just give me a minute to -- indulge me a second to walk through a little of the history here, since all of you weren't around in 2008 when we originally released the President's birth certificate, I will do that. And then Bob Bauer will walk through the timeline of how we acquired these documents.

In 2008, in response to media inquiries, the President's campaign requested his birth certificate from the state of Hawaii. We received that document; we posted it on the web site. That document was then inspected by independent fact checkers, who came to the campaign headquarters and inspected the document -- independent fact checkers did, and declared that it was proof positive that the President was born in Hawaii.

To be clear, the document we presented on the President's web site in 2008 is his birth certificate. It is the piece of paper that every Hawaiian receives when they contact the state to request a birth certificate. It is the birth certificate they take to the Department of Motor Vehicles to get their driver's license and that they take to the federal government to get their passport. It is the legally recognized document.

That essentially -- for those of you who followed the campaign closely know that solved the issue. We didn't spend any time talking about this after that. There may have been some very fringe discussion out there, but as a campaign issue it was settled and it was --

Q When you posted this did you post the other side of it where the signature is?

MR. PFEIFFER: Yes.

Q Because it is not here and that's been an issue.

MR. PFEIFFER: We posted both sides and when it was looked at it was looked at by -- the fact checkers came to headquarters and actually examined the document we had.

That settled the issue. In recent weeks, the issue has risen again as some folks have begun raising a question about the original -- about the long-form birth certificate you now have in front of you. And Bob will explain why -- the extraordinary steps we had to take to receive that and the legal restraints that are in place there.

But it became an issue again. And it went to -- essentially the discussion transcended from the nether regions of the Internet into mainstream political debate in this country. It became something that when both Republicans and Democrats were talking to the media they were asked about. It was a constant discussion on mainstream news organizations. And the President believed that it was becoming a distraction from the major issues we're having in this country.

And he was particularly struck by the fact that right after the Republicans released their budget framework and the President released his, we were prepared to have a very important, very vigorous debate in this country about the future of the country, the direction we're going to take, how we're doing to deal with very important issues like education, Medicare, how we're going to deal with taxes in this country. And that should -- that's the debate we should be having yet.

What was really dominating a lot of discussion was this fake controversy, essentially, a sideshow, that was distracting from this real issue. And an example of that would be when major Democrats and Republicans went onto mainstream news organizations to talk about their budget plans -- including the President -- they were asked about this. They were asked about what they thought about the controversy. They were asked if they believed the President was born in the United States. And it was really a distraction.

That really struck the President, led him to ask his counsel to look into whether we could ask the state of Hawaii to release the long-form certificate, which is not something they generally do. And he did that despite the fact that it probably was not in his long-term -- it would have been in his -- probably in his long-term political interests to allow this birther debate to dominate discussion in the Republican Party for months to come. But he thought even though it might have been good politics, he thought it was bad for the country. And so he asked counsel to look into this.

And now I'll have Bob explain that, and then we'll take your questions.

MR. CARNEY: I just want to -- sorry, I meant to mention at the top, as some of you may have seen, the President will be coming to the briefing room at 9:45 a.m., making a brief statement about this -- not taking questions, but just wanted to let you know.

MR. PFEIFFER: And he will use this as an opportunity to make a larger point about what this debate says about our politics.

Go ahead, Bob.

MR. BAUER: Early last week the decision was made to review the legal basis for seeking a waiver from the longstanding prohibition in the state Department of Health on releasing the long-form birth certificate. And so we undertook a legal analysis and determined a waiver request could be made that we had the grounds upon which to make that request.

And by Thursday of last week, I spoke to private counsel to the President and asked her to contact the State Department of Health and to have a conversation about any requirements, further requirements, that they thought we had to satisfy to lodge that waiver request. She had that conversation with the state Department of Health on Thursday -- counsel in question is Judy Corley at the law firm of Perkins Coie, and you have a copy of the letter she subsequently sent to the department with the President's written request.

The department outlined the requirements for the President to make this request. He signed a letter making that request on Friday afternoon upon returning from the West Coast. And private counsel forwarded his written request -- written, signed request -- along with a letter from counsel, to the state Department of Health on Friday.

The department, as I understood it, after reviewing the law and reviewing the grounds asserted in the request, came to the conclusion that a waiver could be appropriately granted. We were advised that the long-form birth certificate could be copied and made available to us as early as Monday, April 25th -- the day before yesterday. And we made arrangements for counsel to travel to Honolulu to pick it up and it was returned to the White House yesterday afternoon.

Let me emphasize again, there is a specific statute that governs access to and inspection of vital records in the state of Hawaii. The birth certificate that we posted online is, in fact, and always has been, and remains, the legal birth certificate of the President that would be used for all legal purposes that any resident of Hawaii would want to use a birth certificate for.

However, there is legal authority in the department to make exceptions to the general policy on not releasing the long-form birth certificate. The policy in question, by the way, on non-release has been in effect since the mid-1980s, I understand. So while I cannot tell you what the entire history of exceptions has been, it is a limited one. This is one of very few that I understand have been granted for the reasons set out in private counsel's letter.

MR. PFEIFFER: We'll be happy to take some questions.

Q I guess I just want to make sure that we're clear on this. Even though this one says "certificate of live birth" on here, this is different than the other certificate of live birth that we've seen?

MR. PFEIFFER: Yes. The second page there is the one that was posted on the Internet.

Q Okay.

MR. PFEIFFER: And that is a copy of the one that has been kept at the Hawaii Department of Health.

Q Okay. And this is the one that would be referred to -- that people have been asking for that is the birth certificate?

MR. PFEIFFER: They are both -- the second one is the birth certificate. The one on the top is what is referred to as the long-form birth certificate. As you can see -- and Bob can walk you through it -- it contains some additional information that is not on the second page, which was the birth certificate which was released during the campaign.

If you could just explain the difference.

MR. BAUER: There's a difference between a certificate and a certification. The certification is simply a verification of certain information that's in the original birth certificate. The birth certificate, as you can see, has signatures at the bottom from the attending physician, the local registrar, who essentially oversees the maintenance of the records. It contains some additional information also -- that is to say, the original birth certificate -- it contains some additional information like the ages of the parents, birthplaces, residence, street address, the name of the hospital.

The core information that's required for legal purposes and that is put into the actual certification that's a computer-generated document, which we posted in 2008, that information is abstracted, if you will, from the original birth certificate, put into the computerized short-form certification, and made available to Hawaiian residents at their request.

So the long form, which is a certificate, has more information, but the short form has the information that's legally sufficient for all the relevant purposes.

Q This first one has never been released publicly, correct?

MR. BAUER: That's correct. It is in a bound volume in the records at the state Department of Health in Hawaii.

Q Bob, can you explain why President Obama let this drag on for four years? Was it Donald Trump that prompted you to issue this?

MR. BAUER: I'll let Dan --

MR. PFEIFFER: Sure.

Q I know you expected that question, right? (Laughter.)

MR. PFEIFFER: He even said you would be the one who would ask it. (Laughter.)

I don't think this dragged on for four years because this was a resolved -- for those of you who remember the campaign, this issue was resolved in 2008. And it has not been an issue, none of you have asked about it, called about it, reported on it until the last few weeks.

And as I said earlier, it probably would have been -- a lot of the pundits out there have talked about the fact that this whole birther debate has been really bad for the Republican Party and would probably be good for the President politically. But despite that, the President, as I said, was struck by how this was crowding out the debate, particularly around the budget, on important issues, and was an example of the sort of sideshows that our politics focuses on instead of the real challenges that we have to confront as a country.

And so that's why he made this decision now, because it became an issue that transcended sort of this -- it essentially was something that was talked about, as I said, from the nether regions of the Internet onto mainstream network newscasts. In fact, Jay has been asked about this just yesterday in this room.

Q So I guess the implication is that you did get political advantage by having not released this until today, over the course of the last four years?

MR. PFEIFFER: There has been -- no one that I can recall actually asked us to -- we were asked to release the President's birth certificate in 2008. We did that. And then no one -- it never -- up until a few weeks ago, there was never an issue about that that wasn't the birth certificate from any credible individual or media outlet. And it hasn't been until -- I mean, Jay was asked about this yesterday --

Q When you say that, you mean certification -- you released the certification?

MR. PFEIFFER: When any Hawaiian wants -- requests their birth certificate because they want to get a driver's license, they want to get a passport, they do exactly what the President did in 2008. And that's what that is. And we released that. And that's what any Hawaiian would do to release their birth certificate. And that was good enough for everyone until very recently this became a question again. And so the President made this decision. He'll talk to you more about his thinking on that.

Q And this is going to sound -- I mean, you can just anticipate what people are going to -- remain unconvinced. They're going to say that this is just a photocopy of a piece of paper, you could have typed anything in there. Will the actual certificate be on display or viewable at any -- (laughter.)

Q Will the President be holding it?

MR. PFEIFFER: He will not, and I will not leave it here for him to do so. But it will -- the State Department of Health in Hawaii will obviously attest that that is a -- what they have on file. As Bob said, it's in a book in Hawaii.

MR. BAUER: And you'll see the letter from the director of the Health Department that states that she oversaw the copy and is attesting to --

Q But do you understand that this could quiet the conspiracy theorists?

MR. PFEIFFER: There will always be some selection of people who will believe something, and that's not the issue. The issue is that this is not a discussion that is just happening among conspiracy theorists. It's happening here in this room; it's happening on all of the networks. And it's something that, as I said, every major political figure of both parties who's actually out trying to talk about real issues is asked about this by the media. And so the President decided to release this. And I'll leave it to others to decide whether there's still -- there will be some who still have a different -- have a conspiracy about this.

Q You've got two certified copies, according to this study. You have these physical --

MR. PFEIFFER: Yes. I showed you one. Just one.

Q You showed us a photocopy of one.

MR. PFEIFFER: No, I showed you --

Q Does that have a stamp?

MR. PFEIFFER: It has a seal on it.

Q Why does this rise to the level of a presidential statement?

MR. PFEIFFER: The President -- this in itself -- when you hear the President I think you'll understand the point he's making. That will be in not too long.

Q Did the President change his own mind about this? In other words, was he advocating during the campaign let's just put it out there and get it over with, or was this an internal shift in thinking based -- in other words, was it the President who steadfastly during the campaign said this is ridiculous, I don't want to give this any more ground, and has now changed his mind? Or is this the --

MR. PFEIFFER: Let's be very clear. You were there for the campaign. There was never a question about the original birth certificate during the campaign. It was a settled issue. I was there for the original decision to release the birth certificate. I was there when we posted it online. I'm not sure I even knew there was an original one that was different than the one we posted online because it wasn't an issue. So it wasn't like -- let's be very clear. We were asked

for the President's birth certificate in 2008; we released the President's birth certificate; and it was done. That was it.

And so there hasn't been a discussion about this other document for years. It's only been in the last few weeks. And so to your second question, the President decided to do this and he'll talk about this when he gets here -- decided to do it at the timeline that Bob laid out because it was a -- this was a sideshow that was distracting from the real challenges that we're facing.

It's not just a sideshow for him; it's a sideshow for our entire politics that have become focused on this.

Q Not to give Donald Trump more publicity than he has, but is he the person who sort of -- sort of that bridge between what you're calling a fringe and the mainstream? Do you think that he's the reason why this tripped the switch to a level where you now have to deal with something you thought was dealt with?

MR. PFEIFFER: It's not for me to say why mainstream media organizations began to cover this debate. They'll have to answer that for themselves.

Q How concerned were you about running against Donald Trump in a general election?

MR. PFEIFFER: I'd refer any questions on the election to the campaign.

Q Can you address the reports of Petraeus to the CIA and DOD --

MR. PFEIFFER: You get points for that, Carol. (Laughter.)

MR. CARNEY: Yes. I don't have -- but you'll be disappointed to learn that I don't have a personnel announcement for you. The President will be addressing this -- questions about personnel tomorrow.

Q Dan, was there a debate about whether or not this deserved being discussed by the White House, whether or not -- and I'm going back to the birth certificate. I lose points, I understand. But was there debate about whether or not this was worthy of the White House?

MR. PFEIFFER: The point I'd make is that we weren't the ones who -- we're not the first ones to bring this up in this room. Jay has been asked questions about this; the President has been asked about it in media interviews. And so that wasn't a decision that we made, and the President made the decision to do this and he made the decision to -- and when he comes down here this morning he'll talk to you about why he thinks there's an important point to be made here.

Q Getting back to the personnel announcements, does the President understand that these announcements have been made and sourced satisfactorily for most news organizations before he speaks up and he's not letting his White House corroborate?

MR. CARNEY: I don't have a comment on that for you, Bill. (Laughter.)

Q I mean, this is such BS. It's all out there and you guys are -- okay, the President is going to talk about this tomorrow so we can't say anything.

MR. CARNEY: Bill, you're free to make phone calls everywhere you can. I'm just saying that we don't have a personnel announcement for you today.

Q And he'll tomorrow, he'll cover all the aforementioned switches?

MR. CARNEY: We'll have a personnel announcement tomorrow.

Q Jay, yesterday you talked about failsafe triggers as sort of a positive alternative to spending cuts. I'm wondering if the White House has any openness to including that, because it's a White House proposal, including that in any legislation that would raise the debt ceiling limit.

MR. CARNEY: Well, what we've said very clearly, and I think Secretary Geithner said it eloquently yesterday, it is a dangerous, risky idea to hold hostage any other -- hold hostage, rather, raising the debt ceiling, a vote on raising the debt ceiling, to any other piece of legislation. The commitment this President has to moving aggressively towards a comprehensive deficit reduction plan is clear. It will be clear again when the Vice President convenes a meeting, bipartisan, bicameral meeting, next week. And he hopes that progress will be made on that very quickly.

In terms of negotiating what that would look like, I think the negotiators should do that, led by the Vice President, Republicans and Democrats together. But again, explicitly linking or holding hostage the absolute necessity of raising the debt ceiling to any other piece of legislation and declaring that we'll tank the U.S. economy and perhaps the global economy if we don't get this specific thing that we want, I think is a dangerous and unprecedented thing to do.

And we're confident, remain confident, that the leaders of both parties in Congress, as well as the President, will agree with the President, as I have said many times, that we do not have an alternative to raising the debt ceiling because, as many have said, outside observers, economists and businessmen and women, the impact of that would be calamitous at best.

Q So even though it's your own proposal that you guys endorsed you don't want to see it as part of the final package?

MR. CARNEY: I'm not negotiating individual pieces of a package that we hope Republicans and Democrats can come together around from this podium. But again, we believe it's essential to -- the President believes -- that's one of the reasons why we're doing this right now -- we believe that these are big debates that need to be had. They can be contentious, argumentative, serious, comprehensive, detailed, because they're important; they're all about America's future. And they're about visions of this country and where we're going that need to be debated. And this debate was being crowded out in many ways by a sideshow.

And he looks forward to having a debate on the real issues that Americans want us to talk about -- long-term economic plans, deficit reduction, investments in the kinds of things that will help this economy grow and create jobs, dealing with our energy needs, a long-term energy plan. These are all issues that have been sidetracked at least in the public debate by some of the issues that we're talking about this morning.

Q Is there a concern that more and more people were actually starting to believe its sideshow -- I mean, people have been asking about --

MR. CARNEY: I will let the President speak for himself, but what Dan was saying and I think is important is that the issue here is that the President feels that this was bad for the country; that it's not healthy for our political debate, when we have so many important issues that Americans care about, that affect their lives, to be drawn into sideshows about fallacies that have been disproven with the full weight of a legal document for several years.

So, again, as Dan said, and a lot of political pundits have said, you could say that it would be good politics, smart politics, for the President to let this play out. He cares more about what's good for the country. He wants the debate on the issues. He wants the focus on the issues that Americans care about.

Q Jay, the President yesterday said that he had been talking to oil exporters about increasing output. Who specifically has he been talking --

MR. CARNEY: Well, I said -- I want to clarify. I said several times I believe from this podium when asked questions about our overall handling of the issue of high gas prices that we've had conversations with oil-producing states and allies and those conversations continue. I don't have specific "the President spoke with this leader or other government officials spoke with others," but those are ongoing conversations that, of course, we would be having in a situation like this.

Q Do you guys have any comment on the NATO soldiers that were killed in Afghanistan and any confirmation on whether there were Americans?

MR. CARNEY: I don't have anything for you on that this morning.

Q Just quickly, back on the birth certificate, yesterday you said this was a settled issue. So

MR. CARNEY: Well, as Dan said, again, it has been a settled issue.

MR. PFEIFFER: From a factual point of view, it's absolutely a settled issue. But the fact that it was a settled issue did not keep it from becoming a major part of the political discussion in this town for the last several weeks here. So there's absolutely no question that what the President released in 2008 was his birth certificate and answered that question, and many of your organizations have done excellent reporting which proved that to be the case. But it continued;

the President thought it was a sideshow and chose to take this step today for the reasons Bob laid out.

Q Aside from the policy distractions that was presented, did you have some concern because it was sort of reaching back into the mainstream news coverage that this could become a factor in the 2012 election with centrist voters?

MR. PFEIFFER: No.

Q Just to clarify what this document is --

MR. PFEIFFER: This is the -- the letter first and the two certified copies -- this is one of those. This is the same thing you have a copy of as the first page of your packet.

Q How did it get here?

MR. PFEIFFER: As Bob said, it arrived by plane -- the President's personal counsel went to Hawaii and brought it back and we got it last night.

Q Last night?

MR. PFEIFFER: Last night.

Q What time?

MR. PFEIFFER: Between 4:00 p.m. and 5:00 p.m.

Q When did you decide to do this gaggle?

MR. PFEIFFER: What's that?

Q When was this gaggle put on -- when was this planned?

MR. PFEIFFER: Whatever time you received your guidance suggesting that it would be "this time tomorrow morning."

Q Are these letters supposed to demonstrate the legal steps that were involved in releasing it to the White House counsel?

MR. BAUER: The letters that you have, the personal request from the President, along with the accompanying letter from private counsel, is merely meant to document the legal path to getting the waiver of that policy so we could get the long-form certificate.

Q The waiver of Hawaii state government policy?

MR. CARNEY: We do share Eric Holder's views on this. We think -- as we said from the beginning when we talked about -- when I did from this podium -- about the decision no longer from the administration to defend the Defense of Marriage Act, that we would support efforts by Congress if they so chose to defend it. And so I have nothing to add to the Attorney General's comments.

Q Following Monday's Af-Pak Situation Room meeting, what is the President's assessment of the situation in Afghanistan and Pakistan? And does he think that July drawdown is still on?

MR. CARNEY: The President's policy, which included the beginning of a transition -- beginning of a drawdown of American troops, is absolutely still on track. I don't have anything additionally from the meeting yesterday beyond what we've said. But the policy remains as it was.

MR. EARNEST: Jay, we should wrap it up here.

MR. CARNEY: Yes. Last one, yes.

Q Given the comments of the Pakistani official quoted in the Wall Street Journal, is Pakistan still a U.S. ally, and to what extent?

MR. CARNEY: Pakistan is still a U.S. ally.

Thanks.

END            9:18 A.M. EDT

## **EXHIBIT 13**

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## Ward 3 election held today, support LaRita Cooper-Stokes



By Alice Thomas-Tisdale

Jackson Advocate Publisher

Attorneys for Ward 3 Councilwoman LaRita Cooper-Stokes have filed a Motion for New Trial in the case of Joyce Jackson vs. LaRita Cooper-Stokes. Ms. Jackson's lawsuit complains about improper conduct by precinct workers – she does not accuse Ms. Cooper-Stokes of any wrongdoing. A 12-member jury agreed with Ms. Jackson that precinct voting irregularities occurred. The results of the February 28th run-off election were set aside. The Motion for New Trial is a technical legal document. Essentially it requests appellate court review of two legal questions: 1) is the verdict contrary to law or the weight of the evidence presented at trial; and 2) did the trial court fail to properly instruct the jury. The Motion for New Trial filed by Councilwoman Cooper-Stokes' attorneys contends that the trial court erred when it failed to grant Councilwoman Cooper-Stokes' Motion for Directed Verdict at trial. The Motion for Directed Verdict at trial was based on Ms. Jackson's failure to produce at trial admissible evidence establishing that a sufficient number of illegal votes were cast, or legal votes cast were not counted, resulting in the election results not reflecting the will of the voters. During the trial, there was anecdotal evidence offered to support Ms. Jackson's claims that some precinct workers violated voting place protocols. However, according to Councilwoman Cooper-Stokes' attorneys, some of the evidence presented at trial consisted of "accusations of wrongdoing by nameless persons against nameless persons... Such accusations, without more, cannot serve as a basis for invalidating an election." The City Council will set the date for a new election at its June 26th meeting. The Motion will be heard on June 28th at 10 a.m.

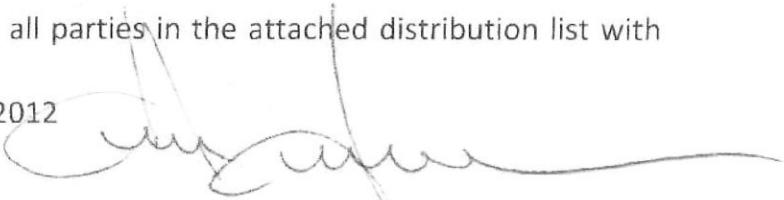


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**CERTIFICATE OF SERVICE**

I, Lila Dubert, attest that I served all parties in the attached distribution list with foregoing pleadings on the 11.14.2012

  
/s/ Lila Dubert

Taitz et al v. Democrat Party of Mississippi et al  
Assigned to: District Judge Henry T. Wingate  
Referred to: Magistrate Judge Linda R. Anderson  
Case in other court: Circuit Court of Hinds County, Ms, 251-  
court: 12-00107 CIV  
Cause: 18:1962 Racketeering (RICO) Act

Date Filed: 04/24/2012  
Jury Demand: None  
Nature of Suit: 470 Racketeer/Corrupt Organization  
Jurisdiction: Federal Question

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